

ORDINANCE NO. 2012- 11

**AN ORDINANCE TO CREATE CHARGES TO RECOVER
EXPENSES FROM AND TO DISCOURAGE FALSE ALARMS FOR
EMERGENCY SERVICES**

The Town Board of the Town of Windsor do hereby ordain as follows:

1. Section 11-6-11 of the Town of Windsor Code of Ordinances is hereby created to read as follows:

“11-6-11 FALSE POLICE OR OTHER EMERGENCY ALARMS.

- (a) **Purpose.** False alarms, regardless of their cause, represent a significant public cost and endanger public safety by unnecessarily deploying police, fire, or other emergency resources that would otherwise be poised to respond to actual emergency situations. The purpose of this ordinance is to discourage the unnecessary deployment of such resources and to reimburse the Town for the costs thereof. This section shall be liberally interpreted in the Town’s favor to achieve these purposes.
- (b) **Scope.**
 - (1) A false alarm occurs for purposes of this section when any signal, alarm or other device intended to be actuated by or in response to a criminal act, fire, or other similar event or emergency situation is activated and the police department, fire department, emergency medical personnel or other public agency responds where no such event has occurred or no emergency situation exists.
 - (2) This section is intended to impose a strict liability on the person, business, corporation or other entity responsible for alarm connections and maintenance of alarm systems to which the police department, fire department, or other public agency responds, directly or indirectly, and shall be applied regardless of the cause of the false alarm unless a specific exemption applies.
- (c) **Exemptions.**
 - (1) This section shall not apply to false alarms resulting from personal medical alert signals actuated by personal devices carried by individuals with heightened medical risk factors to summon assistance in case of a medical emergency.
 - (2) This section shall not apply where a test of the alarm system is being conducted upon advance notice to Town law enforcement and any other agency that might reasonably be expected to respond to such alarm.
 - (3) This section shall not apply where an alarm is activated by weather and such activation could not have reasonably been prevented.

- (d) **False Alarm Charges.** The owner or occupant of any premises in the Town of Windsor shall pay a charge of \$75 for the third, \$100 for the fourth, \$250 for the fifth, and \$600 for the sixth and all subsequent false alarms occurring within the calendar year beginning January 1.
- (e) **Collection.** The Town Treasurer shall provide written notice of all charges due under this section by regular mail to the owner or occupant of the premises where the false alarm occurred. Such notice shall inform the owner or occupant of the right to appeal the notice under sub. (f). Except as provided under sub. (f), said charges shall be paid by the owner or occupant within 30 days of the date of the notice. If said charges are not paid within 30 days, they shall be considered a delinquent special charge and included in the current or next tax roll pursuant to Wis. Stats. §66.0627.
- (f) **Appeal.** Any person to whom a notice of false alarm charges under this Section is directed may appeal the imposition of said charge by serving written notice within 15 days of the date of the false alarm charge notice upon the Town Clerk. Such notice shall include a statement of the grounds for appeal. The Town Clerk may prescribe a form to be used for appeals. If an appeal is filed, the time for payment under sub. (e) shall be suspended until the appeal is heard and recommence if the appeal is denied."

The above and foregoing Ordinance was duly adopted at a regular meeting of the Town Board of the Town of Windsor on the 15th day of March, 2012.

TOWN OF WINDSOR

Robert E. Wipperfurth
Robert E. Wipperfurth, Town Board Chairperson

Donald G. Madelung
Donald G. Madelung, Supervisor

Excused Absence
Alan Buchner, Supervisor

Bruce R. Stravinski
Bruce R. Stravinski, Supervisor

Monica M. Smith
Monica M. Smith, Supervisor

ATTEST:

Tina A. Butteris
Tina A. Butteris
Finance Officer/Clerk-Treasurer
4815-9613-7998, v. 1